



Order Filed on May 24, 2018  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

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ATTORNEYS FOR THE DEBTOR(S)

In Re:

OTIS S. GOULBOURNE, DEBTOR(S)

Case No.: 17-29393 (RG)

Adv. No.:

Hearing Date: 5/16/2018

Judge: ROSEMARY GAMBARDELLA

ORDER AUTHORIZING LOAN  
MODIFICATION AND FOR OTHER RELIEF

The relief set forth on the following pages, two (2) through four (4) is  
hereby ORDERED:

DATED: May 24, 2018

A handwritten signature in cursive script, reading "Rosemary Gambardella", is written over a horizontal line. Below the line, the text "Honorable Rosemary Gambardella" and "United States Bankruptcy Judge" is printed.  
Honorable Rosemary Gambardella  
United States Bankruptcy Judge

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1. That the Debtor be and is hereby authorized to enter into and consummate a loan modification with Midfirst Bank, pursuant to the terms and conditions of the proposed loan modification agreement, entitled 'Loan Modification Agreement (Fixed Rate Loan)', filed as an Exhibit in support of this motion, relating to real property located at 660 Mill Street, Belleville, New Jersey, and the loan modification be and is hereby approved.

2. That the Debtor and/or Midfirst Bank, be and are authorized to enter and consummate any transaction necessary and incident to the loan modification relating to this property, the sole exception being the transfer of the property or an interest in the property by the Debtor(s) to someone else.

a. Limited automatic stay relief is granted, to allow Midfirst Bank, to negotiate any such agreement with the Debtor or counsel, enter into and sign a loan modification agreement, and record any documents with the appropriate county recorders office without such action being considered a violation of the automatic stay.

3. That the Debtor and/or Midfirst Bank, are authorized to negotiate and prepare the terms or documents relating to a loan modification, or any necessary transaction incident to a loan

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modification agreement, such as, but not limited to the  
circumstances described above, with respect to this property and  
any such negotiation and/or preparation of documents and/or  
recording of documents, by the parties shall not considered to  
be a violation of the automatic stay and are specifically  
authorized by the Court.

4. That any communication by the parties relating to the  
loan modification shall be considered to be negotiations,  
pursuant to the Rules of Evidence, and shall not be used by  
either party against the other in the context of any subsequent  
litigation in this Court or any state court, federal court or  
non-judicial forum.

5. That nothing in this order shall be construed as a  
modification of the plan.

6. That the mortgage company and/or mortgage servicer may  
not persuade the Debtor(s) to dismiss this case in order to  
consummate a loan modification.

7. That because the mortgage is being modified and the pre-  
petition arrears are being addressed in the new mortgage, the  
pre-petition arrearage claim, filed by Midfirst Bank, or its  
predecessors, assignees or successors in interest, filed as  
claim number five (5) on the claims register, shall not be paid

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and the Trustee shall not make any payments/disbursements on any  
pre-petition arrearage claim. If the modification is not  
consummated for any reason, Midfirst Bank, may, at any time  
during the pendency of this case, re-list the matter for further  
hearing, otherwise, this order shall be deemed final.